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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,333	08/27/2003	Shih-Li Wen	WENS 3002/EM	5347
23364 7590 04/30/2007 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			EXAMINER PATEL, CHIRAG R	
			ART UNIT 2141	PAPER NUMBER
			MAIL DATE 04/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/648,333	Applicant(s) WEN ET AL.	
	Examiner Chirag R. Patel	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by DeNicola et al.- hereinafter DeNicola (US 6,288,753).

As per claim 1, DeNicola discloses a global real time learning system established between at least one teacher's computer and at least one learner's computer over the Internet, the system comprising:

a video platform of real time learning mounted in each of the teacher's computer and the learner's computer, the video platform of real time learning being available for a teacher or learner to input personal data and teaching or learning data; and (Col 4 lines 20-50)

a server of real time learning coupled to each of the teacher's computer and the learner's computer over the Internet, the server of real time learning being adapted to receive information from the video platform of real time learning and classify the information prior to opening the information for accessing; (Col 13 line 65-Col 14 line 16, Col 14 line 55 – Col 15 line 2)

wherein the teacher's computer and the learner's computer can search one learner's computer and one teacher's computer conformed with set conditions over the

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Internet respectively for connection and perform video teaching or learning information communication between the teacher's computer and the learner's computer, and the server is adapted to supervise accumulated online time of teaching or learning and calculate charge incurred thereby. (Col 15 lines 35-46, Col 17 lines 61-67)

As per claim 2, DeNicola discloses the real time learning system of claim 1, wherein the video platform of real time learning comprises a data input and transceiver module for causing the teacher's computer or the learner's computer to input personal data for recording and sending the recorded data from the teacher's computer or the learner's computer to the server for classification and management thereafter. (Col 9 line 60 – Col 10 line 22, Col 15 -lines 47-57)

As per claim 3, DeNicola discloses the real time learning system of claim 2, wherein the data input and transceiver module is adapted to cause the teacher's computer or the learner's computer to input data for recording, send the recorded data from the teacher's computer or the learner's computer to the server for classification and management thereafter, and retrieve relevant learner information from the server or - retrieve relevant teacher information from the server. (Col 15 lines 47-57)

As per claim 4, DeNicola discloses the real time learning system of claim 2, wherein the data input and transceiver module is adapted to cause the teacher's computer or the learner's computer to input data records or files about learning or

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teaching and send the input data records or files from the teacher's computer or the learner's computer to the server available for searching or downloading by other learners or teachers. (Col 3 lines 49-64)

As per claim 5, DeNicola discloses the real time learning system of claim 2, wherein the data input and transceiver module is adapted to cause the teacher's computer or the learner's computer to download data records or files about learning from the server via the real time video and audio communication module. (Col 11 lines 35-40)

As per claim 6, DeNicola discloses the real time learning system of claim 1, wherein the video platform of real time learning further comprises a real time video and audio communication module for causing the teacher's computer or the learner's computer to connect to the server, and thereafter causing the real time video and audio communication module to establish a video connection over the Internet for performing an online real time video teaching or learning. (Col 7 lines 15-30)

As per claim 7, DeNicola discloses the real time learning system of claim 6, wherein the real time video and audio communication module is adapted to cause the teacher's computer or the learner's computer to receive information sent from the server by broadcasting, and show the received information on the teacher's computer or the learner's computer. (Col 7 line 61 – Col 8 line 11)

As per claim 8, DeNicola discloses the real time learning system of claim 6, wherein the real time video and audio communication module is adapted to cause the teacher's computer or the learner's computer to convert information shown on the computer into video/audio stream, send the video/audio stream from the teacher's computer or the learner's computer to the server, and cause the server to broadcast the same to relevant one of the teacher's computer or the learner's computer. (Col 9 lines 17-47)

As per claim 9, DeNicola discloses the real time learning system of claim 1, wherein the video platform of real time learning further comprises a real time connection and searching module for causing the teacher's computer or the learner's computer to search shared learning data available for other teachers or learners based on input data in the server. (Col 9 line 60 – Col 10 line 22)

AS per claim 10, DeNicola discloses the real time learning system of claim 9, wherein the real time connection and searching module is adapted to cause the teacher's computer or the learner's computer to input location data about the teacher's computer or the learner's computer for establishing a point to point connection with the other teacher's computer or learner's computer via the server. (Col 10 lines 46-60)

As per claim 11, DeNicola discloses the real time learning system of claim 9, wherein the real time connection and searching module is adapted to cause the teacher's computer or the learner's computer to input node location data about the teacher's computer or the learner's computer for establishing a distributed node group connection with the other teacher's computer or learner's computer via the server. Col 9 line 60 –Col 10 line 22)

As per claim 12, DeNicola discloses the real time learning system of claim 1, wherein the server comprises at least one data entry safety module for causing the server to receive personal data from the teacher's computer or the learner's computer, performing a safety check and qualification check thereon, and classifying and managing the same thereafter. (Col 16 line 47 – Col 17 line 9)

As per claim 13, DeNicola discloses the real time learning system of claim 1, wherein the server further comprises a information management module for causing the server to receive learning or teaching information from the teacher's computer or the learner's computer, and classifying the same so as to be available for searching or downloading by other learners or teachers. (Col 9 lines 17-47)

As per claim 14, DeNicola discloses the real time learning system of claim 1, wherein the server further comprises a network management module for causing the server to perform a point to point connection or distributed node group connection

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between the teacher's computer and the learner's computer based on computer location data sent from the teacher's computer or the learner's computer. (Col 7 lines 15-39)

As per claim 15, DeNicola discloses the real time learning system of claim 1, wherein the server further comprises a video communication module for causing the server to receive video data including audio data from the teacher's computer or the learner's computer, and immediately thereafter broadcasting the same to relevant one of the teacher's computer or the learner's computer. (Col 7 lines 30-38)

As per claim 16, DeNicola discloses the real time learning system of claim 1, wherein the server further comprises a debit management module for causing the server to identify whether the learner's computer and the teacher's computer are connected together via the Internet for communicating information while learning or teaching, monitoring the connection therebetween, and calculating learning or teaching charge incurred thereby based on the accumulated online time. (Col 15 lines 35-46, Col 17 lines 61-67)


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER